

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
MARTINSBURG

FILED

OCT 20 2021

U.S. DISTRICT COURT-WVND
MARTINSBURG, WV 25401

UNITED STATES OF AMERICA,

Plaintiff,

v.

DIANA TOEBBE,

Defendants.

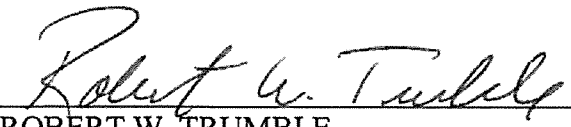
Case No.: 3:21CR 49-2
(GROH)

DUE PROCESS PROTECTIONS ACT ORDER
TO ALL COUNSEL REGARDING BRADY
OBLIGATIONS

Pursuant to the Due Process Protections Act of 2020, the Court reminds the Government's attorneys that under Brady v. Maryland, 373 U.S. 83 (1963) and its progeny, failing to disclose favorable evidence to the accused violates due process where the evidence is material either to guilt or punishment. Further, consequences for a Brady violation can include, but are not necessarily limited to, a vacated conviction and disciplinary actions against the prosecutor.

The Clerk of Court is **DIRECTED** to transmit copies of this Order to all counsel of record herein.

DATED: 10-20-2021


ROBERT W. TRUMBLE
UNITED STATES MAGISTRATE JUDGE